

Remarks

The non-final Office Action dated March 23, 2009, indicates that the allowability of claims 4 and 6 has been withdrawn. Claim 4 stands rejected under 35 U.S.C. § 112(2) but would be allowable if rewritten to overcome this rejection; and claim 6 stands rejected under 35 U.S.C. § 102(e) over the Chen reference (U.S. Patent No. 6,833,081). Applicant respectfully traverses each of these rejections as explained below, wherein Applicant does not acquiesce to any rejection or averment in this Office Action.

Regarding the § 112(2) rejection of claim 4, Applicant has removed aspects directed to the narrower range from claim 4. As such, Applicant requests that the rejection be withdrawn and Applicant submits that claim 4 is in condition for allowance, as indicated by the Office Action.

Applicant respectfully traverses the § 102(e) rejection of claim 6 because the '081 reference does not teach using a cleaning agent that contains only a diluted solution of sulphuric acid in water, as claimed. Instead, the '081 reference requires that the cleaning agent also include hydrogen peroxide in order to prevent damage to metal. *See, e.g.*, Col. 1:44-50 and Col. 5:58-62. Thus, the '081 reference does not correspond to the claimed invention.

Moreover, the '081 reference teaches away from using only a diluted solution of sulphuric acid in water, as claimed. Consistent with the recent Supreme Court decision, M.P.E.P. § 2143.01 explains the long-standing principle that a § 103 rejection cannot be maintained when the asserted modification undermines either the operation or the purpose of the main ('081) reference - the rationale being that the prior art teaches away from such a modification. *See KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1742 (2007) (“[W]hen the prior art teaches away from combining certain known elements, discovery of a successful means of combining them is more likely to be non-obvious.”). As discussed above, the '081 reference requires that the cleaning agent also include hydrogen peroxide in order to prevent damage to metal and, as such, the '081 reference teaches away from using only sulphuric acid diluted in water.

In view of the above, the § 102(e) rejection of claim 6 is improper and Applicant requests that it be withdrawn.

Applicant has added new claims 16-27, which are fully support by Applicant's disclosure. For example, support for claims 16-19 can be found in Figures 1-3 and the related discussion in Applicant's specification, and support for claims 20-27 can be found in Figures 4-9 and the related discussion in Applicant's specification,

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

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